

## **CHAPTER 11 COMPLEMENTARY ENERGY ASSISTANCE PROGRAM**

### **1100 ESTABLISHMENT**

- 1100.1 The D.C. Energy Office (DCEO) shall administer the Complementary Energy Assistance Program (CEAP) which provides energy assistance grants to needy households identified from the Aid to Families with Dependent Children Program (AFDC) who are employed and whose benefits are denied or terminated resulting from the receipt of earned income.
- 1100.2 This assistance shall be in the form of cash payments to assist recipients with household energy and utility costs. Recipients shall be held harmless against any other forms of energy assistance he or she may receive from other public or private sources.
- 1100.3 Complementary program assistance grants shall not be deducted in determining the amount of assistance to be paid in an assistance unit by the State Agency administering the District of Columbia Aid to Families with Dependent Children Program, or the Food Stamp Program.
- 1100.4 The assistance shall not duplicate any assistance paid by the Department of Human Services in its capacity as the State Agency for the administration of the Public Assistance Program.

### **1101 ELIGIBILITY**

- 1101.1 Any person shall be eligible to initially receive assistance who meets the following requirements:
  - (a) Is a resident of the District of Columbia;
  - (b) Have earned income not exceeding twenty-thousand dollars (\$20,000) annually from partial or full-time employment and whose earnings have resulted in a termination or denial of AFDC supplemental benefits. Annual household income shall be calculated in accordance with the U.S. Office of Management and Budget guidelines defining one hundred and fifty percent (150%) of the poverty level; and
  - (c) Have filed a completed CEAP application with the D.C. Energy Office.

**1101 ELIGIBILITY (Continued)**

1101.2 To remain eligible for CEAP assistance, a person who has satisfied the initial eligibility requirements shall continue to meet the following standards:

- (a) Remain a resident of the District of Columbia;
- (b) Have income not exceeding twenty-thousand dollars (\$20,000) annually from full-time or part-time employment;
- (c) The head of household shall have at least one (1) dependent under twenty-one (21) years of age residing in the household after termination from the AFDC Program;
- (d) Annually present to the D.C. Energy Office documentation clearly demonstrating compliance with CEAP eligibility; and
- (e) Is certified by the D.C. Energy Office to continue to receive CEAP assistance based upon the criteria set forth herein.

**1102 ASSISTANCE**

1102.1 Assistance shall be provided in the form of monthly checks mailed to qualified recipients.

1102.2 Except as otherwise provided in §1102.3 the amount of assistance awarded to a recipient shall be calculated to reflect the average District of Columbia residential household energy consumption costs over an aggregate period not to exceed six (6) months. The amount of assistance shall reflect household size and income.

1102.3 Monthly CEAP assistance levels per household shall not exceed one hundred dollars (\$100), nor shall the assistance fall below ten dollars (\$10). The DCEO shall reserve the right to establish minimum and maximum assistance limits based on current and future increases or decreases in the cost of home energy.

1102.4 The Director of the D.C. Energy Office shall publish the CEAP maximum or minimum assistance levels in the D.C. Register on a periodic basis.

**1103 APPLICATION PROCEDURES**

1103.1 Clients whose AFDC benefits are denied or terminated due to the receipt of earned income from full-time or part-time employment shall receive written information regarding the eligibility requirements and the application procedures for CEAP.

### **1103 APPLICATION PROCEDURES**

(Continued)

1103.2 Applicants seeking assistance under CEAP shall complete a written application providing information on a form designated by the D.C. Energy Office.

1103.3 Applications for CEAP assistance shall be available at the following address:

D.C. Energy Office  
Lansburgh Building  
420 7th Street, N.W.  
Suite 500  
Washington, D.C. 20004  
Telephone: 724-2100

1103.4 The D.C. Energy Office shall determine the applicant's eligibility to receive benefits under CEAP and then provide the applicant with written notification which shall set forth the reasons for such determination. A person whose application for CEAP assistance is approved shall be eligible to receive benefits within forty-five (45) days from the date of the submission of the completed application.

### **1104 TERMINATION AND REDUCTION PROCEDURES**

1104.1 Participants shall be terminated from the CEAP automatically upon the determination that they are no longer eligible based on the requirements set forth in §§1101.1 and 1101.2 (a), (b), (c) and (d) of this chapter.

1104.2 Advance notice of termination or reduction of assistance and the basis for the action shall be mailed to the recipient not less than twenty (20) days before the established date of mailing for the energy assistance grants.

1104.3 A recipient who receives a notice of termination or a grant reduction has sixty (60) days from the date of the notice to request a fair hearing. If a recipient makes a request for a fair hearing within ten (10) days from the date of the termination or reduction notice, the grant may not be terminated or reduced until a hearing decision is rendered.

1104.4 A CEAP recipient who has been issued a notice of termination shall not continue to receive CEAP benefits unless the recipient has requested a fair hearing in accordance with the provisions of §1105 of this chapter.



## **1104 TERMINATION AND REDUCTION PROCEDURES**

(Continued)

- 1104.5 A CEAP recipient who has been issued a reduction in assistance notice shall receive the reduced assistance grant with the next regular monthly issuance of CEAP assistance checks unless the recipient has requested a fair hearing in accordance with the provisions of §1105 of this chapter.

## **1105 FAIR HEARING**

- 1105.1 Applicants or recipients may request orally, or in writing, a fair hearing from the D.C. Energy Office, for any of the following reasons:

- (a) If the application is denied;
- (b) If the application is neither denied nor approved within forty-five (45) days of application to the agency;
- (c) If the amount of assistance is less than the recipient believes it should be; or
- (d) If the applicant or recipient challenges the basis for a reduction in the assistance grant or the termination of the assistance grant.

- 1105.2 The D.C. Energy Office shall convene a case review to seek administrative resolution of a contested case prior to a hearing. If the case review does not resolve the issue, the client may request a fair hearing at the Fair Hearing Office of the Department of Human Services, located at the following address:

1170 12th Street, N.W.  
Second Floor  
Washington, D.C. 20005  
(202) 724-5432

- 1105.3 Hearings shall be held in a place reasonably convenient to the claimant.
- 1105.4 The claimant shall be afforded an opportunity to review his or her CEAP case file.
- 1105.5 The hearing officer shall be a District of Columbia employee who is not involved in the decision being appealed.
- 1105.6 The following rights shall be guaranteed the claimant:
- (a) The right to have a representative at the hearing;

**1105 FAIR HEARING**

(Continued)

**1105.6 (Continued)**

- (b) The right to present oral and written statements or other evidence;
- (c) The right to request access to, and the production of relevant documents and witnesses;
- (d) The right to cross-examine witnesses; and
- (e) The right to bring an interpreter if needed.

**1105.7** Testimony shall be given under oath.

**1105.8** The hearings shall be recorded and the decision shall be based on the record.

**1105.9** The claimant may request a fair hearing within sixty (60) days of any of the following:

- (a) The denial of an application;
- (b) The contested change in payment; or
- (c) The receipt of a termination notice.

**1105.10** A recipient who receives a notice of termination or a reduction of assistance under §§1104.2 and 1104.3 shall request a hearing within the ten (10) day period under those subsections to continue to receive benefits pending a hearing decision.

**1105.11** A hearing decision shall be made within thirty (30) days after a request.

